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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

P. J. ARCENEUX

CIVIL ACTION NO. 05-0743

VS.

JUDGE HAIK

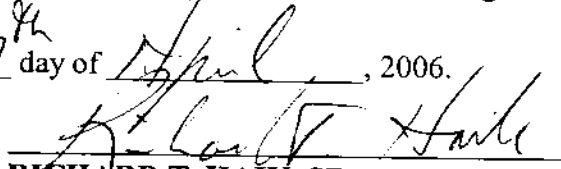
COMMISSIONER OF SOCIAL SECURITY      MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REVERSED AND REMANDED**. On remand, the ALJ shall (1) evaluate the medical records of Dr. Daniel Hodges that were presented to the Appeals Council post-hearing and assess their impact on Arceneaux's claim for benefits; (2) obtain the medical records referenced in Dr. Hodges's August 24, 2004 progress notes, including the results of the updated MRI of Arceneaux's lumbar spine and the bilateral EMG/NCV studies of the lower extremities; and (3) assess the impact of the back surgery that Arceneaux underwent in November 2004, as well as any treatment notes of any physicians following the surgery.

Lafayette, Louisiana this 27<sup>th</sup> day of April, 2006.

  
**RICHARD T. HAIK, SR.**  
UNITED STATES DISTRICT JUDGE